

Maine Revised Statutes

Title 12: CONSERVATION

Chapter 431: MAINE SHORELINE PUBLIC ACCESS PROTECTION PROGRAM

§5203. PROGRAM GUIDELINES

1. Program established. There is established, within the Department of Agriculture, Conservation and Forestry, the Maine Shoreline Public Access Protection Program, referred to in this chapter as the "program" for the purposes of encouraging and supporting the acquisition and development of shoreland areas by the State Government and local governments. Any acquisition or development of shoreland areas supported by this program shall be undertaken solely to enhance, preserve or protect public access to coastal shoreland areas. The commissioner shall establish, amend or repeal rules of the department necessary to accomplish the purposes of this chapter.

[1987, c. 402, Pt. A, §95 (AMD); 2011, c. 657, Pt. W, §5 (REV) .]

2. Program guidelines. To accomplish the purposes of this chapter, the commissioner shall establish guidelines for the appropriate expenditure of money available in the fund. In establishing these guidelines, the commissioner shall consider, among other things:

A. Access to shoreline for shellfish and marine worm harvesters and for other economic purposes; [1985, c. 794, Pt. B, (NEW) .]

B. Public access to shoreline for scenic and recreational purposes; [1985, c. 794, Pt. B, (NEW) .]

C. The purchase of easements and property development rights; [1985, c. 794, Pt. B, (NEW) .]

D. The establishment and limited development of public access ways and areas; and [1985, c. 794, Pt. B, (NEW) .]

E. The ability of a municipality or state agency to manage shoreline access in a manner that is consistent with the natural carrying capacity of the area accessed and to provide adequate essential public services. [1985, c. 794, Pt. B, (NEW) .]

[1985, c. 794, Pt. B, (NEW) .]

3. Coastal municipality participation. Notwithstanding any guidelines established pursuant to this chapter, at least 50% of all revenue available from the fund shall be dispensed to municipalities located in the coastal area, as defined in Title 38, section 1802, for the acquisition or development of shoreline access areas. The amount granted to such a municipality pursuant to this section shall not exceed 50% of the total cost of the acquisition or development project.

[1985, c. 794, Pt. B, (NEW) .]

4. Public access. All projects financed through this program shall be made equally open for use by all Maine citizens.

[1985, c. 794, Pt. B, (NEW) .]

SECTION HISTORY

1985, c. 794, Pt. B, (NEW). 1987, c. 402, Pt. A, §95 (AMD). 2011, c. 657, Pt. W, §5 (REV).

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